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Hearing Date: September 30, 2020 at 10:00 a.m.
Objection Deadline: September 23, 2020 at 4:00 p.m.

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MAGNIFY INC., et al.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05279 (SMB)

**NOTICE OF TELEPHONIC HEARING ON MOTION FOR ENTRY OF ORDER
PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND RULES 2002
AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE APPROVING
A SETTLEMENT AGREEMENT BY AND BETWEEN THE TRUSTEE AND THE
DEFENDANTS IN ADVERSARY PROCEEDING NO. 10-05279**

PLEASE TAKE NOTICE that on September 4, 2020, Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III (“SIPA”) and the Chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, filed a motion (the “Motion”) seeking entry of an order, pursuant to section 105(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.*, and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure, approving a certain settlement agreement by and between the Trustee on the one hand, and Defendants on the other hand. A telephonic hearing on the Motion will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **September 30, 2020, at 10:00 a.m.** (the “Hearing”), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE pursuant to the Court’s General Order M-543, *In re: Coronavirus/COVID-19 Pandemic, Court Operations Under the Exigent Circumstances Created by COVID-19*, dated March 20, 2020, all hearings will be conducted telephonically pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Bernstein’s guidelines for telephonic appearances and are required to make arrangements to appear telephonically with Court Solutions LLC at <https://www.courtsolutions.com/> no later than 12:00 p.m. (Eastern Time) one business day before the Hearing. Further instructions regarding telephonic appearances via Court Solutions can be found on the Court’s website at <http://www.nysb.uscourts.gov/news/general-order-m-543-court-operationsunder-exigent-circumstances-created-covid-19>. Pro se parties may participate telephonically in hearings free of charge.

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than 4:00 p.m. on **September 23, 2020** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Tracy Cole, Esq.; (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin Bell Esq. and Nathanael Kelley, Esq.; and (c) Emmet, Marvin & Martin, LLP, counsel for Defendants, 120 Broadway, 32nd Floor, New York, New York 10271, Attn: Paul T. Weinstein. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that failure to file timely objections may result in the entry of an order granting the relief requested in the Motion without further notice to any party or an opportunity to be heard.

Dated: September 4, 2020
New York, New York

By: /s/ David J. Sheehan
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LLC and the Chapter 7 Estate of Bernard L.
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